



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

Tom Semder
Gannett Flemming, Inc.
207 Senate Avenue
Camp Hill, PA 17011

December 16, 2014

Re: JURISDICTIONAL DETERMINATION
Environmental Review - EDA and DCA/NEP Programs
DLUR File Number: 1343-13-0003.2
DLUR Activity Number: CDT140001
Grant Application ID Number: RRE0009118MF
Applicant: Soledad Oleas
Block(s) and Lot(s): [1.05, 11]
Sea Bright Borough, Monmouth County

Dear Mr. Semder:

This letter is in response to an application submitted by the above referenced applicant for funding under the Economic Development Authority's Neighborhood & Community Revitalization (NCR), Small Business Loans (SBL) Programs, the Department of Community Affairs's Neighborhood Enhancement Program (NEP), and/or the Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program. This jurisdictional determination is for the proposed rehabilitation of a single unit of multi-unit residential development at the above referenced site. The project site is within the CAFRA zone of the Borough of Sea Bright, a non-qualifying municipality. Potentially applicable statutes include Waterfront Development Act (N.J.S.A. 12:5-3 et seq.), Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et seq.), Coastal Area Facility Review Act, CAFRA, (N.J.S.A. 13:9-1 et seq.), Flood Hazard Area Control Act (N.J.S.A. 58:16A et seq.) and the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B et seq.).

Based on a review of the information submitted and a review of information as maintained on the Department's Geographic Information System, the following determination is made:

Based on a review of the Coastal Permit Program Rules, the following determination is made:

- ☒ **A Waterfront Development permit is not required.**
- ☐ **A Waterfront Development Permit will be required because:**
 - ☐ Work will be performed at or below (outshore) the Mean High Water Line.
 - ☐ Work will be performed within 100/500 feet of the MHWL outside the coastal area.

Based on a review of the Coastal Permit Program Rules, the following determination is made:

- ☐ **A CAFRA permit is required.**
- ☒ **A CAFRA permit is not required** as the proposed rehabilitation is not regulated pursuant to N.J.A.C. 7:7-2.1.

Based on a review of the Coastal Wetlands Maps, the following determination is made:

- () **Coastal Wetlands permit is required.** Coastal Wetlands are mapped on this site. Activity is proposed at or below the Upper Wetlands Boundary.
- (x) **Coastal Wetlands permit is not required.** Based on a review of the Coastal Wetlands Maps it is determined that there are not mapped wetlands on the site.
- () **Coastal Wetlands permit is not required.** Coastal Wetlands are mapped on this site. However, no activity is proposed at or below the Upper Wetlands Boundary.

In addition, this project will take place within a tidal floodplain regulated under the Flood Hazard Area Control Act rules at N.J.A.C. 7:13-1.1. Rehabilitation projects (interior/exterior repair) do not require Flood Hazard Area permits.

Based on the information provided to the Division, it does not appear that the proposed project will impact areas regulated under the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. Even if the project were within a regulated wetland or transition area, wetlands permits would not be required since the project consists of rehabilitation.

The project may be presumed to be consistent with the New Jersey Coastal Zone Management Program and a Water Quality Certificate is authorized.

This letter does not relieve the applicant of the responsibility of obtaining any other required State, Federal or local permits or approvals as required by law and is based on the information submitted in accordance with existing regulation. This determination shall be considered null and void if the submitted information is incorrect, site conditions or regulations change.

Please contact Jessica Cobb by e-mail at Jessica.Cobb@dep.nj.gov or (609) 633-2289 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Ryan J. Anderson, Supervisor
Bureau of Coastal Regulation
Division of Land Use Regulation